



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 1, 2012

OFFICE OF THE
GENERAL COUNSEL

Kenneth D. Kleinman, Esq.
Stevens & Lee
1818 Market Street, 29th Floor
Philadelphia, Pennsylvania 19103

RE: *Secretary of Labor v. Bartlett Nuclear, Inc., et al.*, OHSRC Nos. 10-0169; 0130;
NRC File No. TR-12-01

Dear Mr. Kleinman;

On January 30, 2012, the General Counsel approved your request, dated January 9, 2012, for the deposition pursuant to FRCP 30(b)(6) of the NRC in the above-captioned matter. The deposition was conducted on March 7, 2012, and the NRC produced two witnesses: Mr. Fred Brown and Mr. Ed Williamson. They have since reviewed the transcripts, produced errata sheets, and signed their transcripts. Accordingly, NRC File TR-12-01 is now CLOSED. I apologize for the delay in providing this letter.

You also requested that we provide you with the draft (or initial) Notice of Violation that was originally provided to our Regional Office. But we have been advised by OSHA counsel that the agency has asserted a privilege to its release and that the Occupational Safety and Health Review Commission has now issued a decision upholding that position. Accordingly, we decline to provide you with a copy of that document should we find it in our search.

Please feel free to call if you wish to make a another request under our regulations in the future.

Sincerely,

A handwritten signature in cursive script that reads "Charles E. Mullins".

Charles E. Mullins
Senior Attorney
Office of the General Counsel
(301) 415-1618
charles.mullins@nrc.gov

cc: Karla Fuller, Esq.
Ed Williamson, Esq.
Elizabeth Kruse, Esq.